Case 14-56148-bem Doc 26 Filed 10/22/14 Entered 10/22/14 15:14:29 Desc Main

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## IT IS ORDERED as set forth below:

Date: October 22, 2014

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Barbara Ellis-Monro
U.S. Bankruptcy Court Judge

# IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

IN RE: : CASE NO.: 14-56148

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DEJANA GAVRILOVIC, : CHAPTER: 13

Debtor.

: JUDGE: BARBARA ELLIS-MONRO

WELLS FARGO BANK, N.A., NOT IN ITS INDIVIDUAL OR BANKING CAPACITY,

BUT SOLELY AS TRUSTEE FOR THE :

RESIDENTIAL MORTGAGE TRUST 2008- : R1, BY RUSHMORE LOAN MANAGEMENT :

SERVICES, LLC, ITS SERVICING AGENT,

Movant : CONTESTED MATTER

v. :

DEJANA GAVRILOVIC, :

MARY IDA TOWNSON, Trustee, : Respondents. :

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## CONSENT ORDER ON MOTION FOR RELIEF FROM STAY (#15)

The above styled Motion having been scheduled for a hearing before the Court on

August 12, 2014, upon Notice of Assignment of Hearing to each of the above-captioned parties

in interest, and it appearing to the Court that the parties consent hereto;

IT IS HEREBY ORDERED that the Motion for Relief from Stay with respect to 2650 Colonial Drive, College Park, GA 30337 is denied, as the parties herein agree that the interest of Movant is adequately protected by payment and performance as more particularly set forth hereinafter.

FURTHER ORDERED that the post-petition arrearage through August 12, 2014, totals \$1,026.00, including \$176.00 for a filing fee and \$850.00 in reasonable attorney's fees.

This arrearage shall be paid as follows:

Debtor shall receive credit of \$215.39 in suspense. Beginning September 1, 2014, Debtor shall resume timely remittance of the regular monthly mortgage payments. Beginning September 15, 2014, and continuing on the 15th day of each subsequent month, Debtor shall pay an additional \$135.11 per month, for six (6) months or until the arrearage is cured. Payments should be sent to:

Selene Finance, LP PO Box 71243 Philadelphia, PA 19176-6243

or to such address as may be designated. It is further

FURTHER ORDERED that should Debtor(s) default in payment of any sum specified herein, or in any regular monthly mortgage payments which come due according to Movant's Loan Documents while the existing arrearage remains uncured, then upon notice of default sent by first class mail to Debtor(s), attorney for Debtor(s) and the Trustee, and failure of Debtor(s) to cure such default within ten (10) days from the date of receipt of such notice, Movant may file a motion and affidavit of default, with service upon Debtor(s), attorney for Debtor(s) and the Trustee, and the Court may enter an Order lifting the automatic stay, without further notice or hearing.

FURTHER ORDERED that in the event relief from the automatic stay is later granted,

the Trustee shall cease funding any balance of Movant's claim, and the provisions of Fed. R. Bank. P. 4001(a)(3) may be waived.

FURTHER ORDERED that upon completion of any foreclosure sale, any funds in excess of the amount due to Movant and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State Law, shall be paid to the Trustee for the benefit of the Estate.

#### END OF DOCUMENT

#### CONSENTED TO BY:

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/s/ Lureece D. Lewis .with express permission

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### NO OPPOSITION:

<u>/s/ Sonya M. Buckley</u> .with express permission

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## **DISTRIBUTION LIST**

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